

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8321 OF 2003

Office Notes, Office
Memoranda of Coram,
appearance, Court's
orders or directions
and Registrar's orders

Court's or Judge's
orders

Mr. S.M. Sahastrabuhde h/f
Mr. S.S. Godbole for
petitioner.

Ms. S. Shailendra h/f Mr.
P.S. Dani for respondent
No.1.

CORAM: B.H. MARLAPALLE, J.

05/04/2007.

P.C.:

. Civil Suit No.516 of
1994 came to be decreed on
17/2/1998 for partial eviction
of the suit premises and Civil
Appeal No.271 of 1998
challenging the said decree
came to be dismissed on
22/8/2003 by the learned 2nd
Ad-hoc Additional District
Judge at Pune. Hence the
petitioner has a statutory
remedy of filing a Civil
Revision Application under
Section 115 of C.P.C. and

when such an alternative and equally efficacious remedy is available, this petition need not be entertained.

. Hence the petition is disposed with liberty to file a Civil Revision Application and if such an application is presented within a period of four weeks from today, the period of pendency of this petition shall be taken into consideration for condonation of delay, if any. Annexures be returned on application.

(B.H. Marlapalle, J.)